[Document K.]

BY THE HOUSE OF DELEGATES,

February 21, 1848.

Read and ordered to be printed.

REPORT

OF THE

SELECT COMMITTEE,

ON THE

MARYLAND PENITENTIARY.

REPORT.

The select committee to whom was referred the supplemental report of the Directors of the Maryland Penitentiary, relating to the financial condition of that institution, and praying for an appropriation of $30,000 from the State; which committee were directed by an order of the House of Delegates, adopted on the 9th instant, to visit the penitentiary, and to enquire into the affairs and condition of said institution, would respectfully report, that in obedience to the above order, they proceeded to the city of Baltimore, and having discharged the duty assigned to them, as fully as the short space of time which they were willing to absent themselves from the duties of the House, (at this advanced stage of its session would allow,) beg leave to make the following statement.

CONDITION OF THE PRISON.

Under this head your committee take pleasure in stating that they found the buildings and premises generally in a very good condition, and with the exception of a small expenditure of money in repainting the outside wood work, which will be found essentially necessary in a short time, to preserve from decay that part of the wood which is most exposed to the weather. Your committee think that no expenditure of money will be required for some years to come, to preserve them in their present condition. Marked neatness and cleanliness was observed in every apartment of the institution,—the workshops and cells are all comfortable and properly ventilated, so as to conduce as much as possible in preserving the health of the prisoners. The clothing of the convicts seemed to be warm and durable—their bedding ample—their food plain, substantial and abundant; and with the exception of several insane convicts, whose wants are attended to perhaps as well as an institution of that kind could afford, yet by no means such as their actual necessities require, or the common feelings of humanity would suggest, and whose removal to the hospital your committee could not too strongly urge upon the legislature: with that exception the convicts generally seemed to be as comfortable and as contented as their present lot and condition could render them.

MANAGEMENT OF THE INSTITUTION.

Your committee take great pride in stating, that too much praise and credit cannot be bestowed upon the present warden, Mr. Johnson, and the Board of Directors, for the very able and humane manner, in which they have managed and conducted the affairs of the institution. Throughout every department of the building the most perfect order and discipline was observed. And though the most implicit obedience is exacted from the convicts—and the most rigid discipline enforced in order to preserve that form of government which is so essential to a well regulated prison. Yet that obedience and discipline is enforced with such a kind regard for the health, and necessary wants of the prisoners,—that while the convict feels and knows it to be his duty to obey; the respect which he entertains for his officers and keepers, converts to a certain extent duty into pleasure, and fear into friendship.

OFFICERS OF THE PENITENTIARY.

It will be found by (Doc. B.) that the whole number of officers now employed in the Penitentiary to be 30, including the six directors who have the general management of the institution. And that the salaries of the officers exclusive of the directors amounts annually to the sum of $14,845, which amount nearly equals one-half of all the annual expenses of the institution, (which by the report of last year amounted to the sum of $37,-924.27, whole expense.) The committee thinking that some retrenchment might be made in this item of the expenses, addressed an interrogatory of that kind to the warden, whose superior skill, and management of the institution would eminently qualify him to enlighten the committee on that point, but it will be found from his answer attached to this report, that he is not sufficiently clear and lucid in his views to enable the committee to arrive at any correct conclusion on the subject, but from an examination of a number of reports from different institutions of a similar character, in the different States, they find that a much smaller number of officers are reported for the management of their institutions. And would from this fact respectfully recommend to the board of directors, that an experiment be made in reducing the number of officers, and thus lessen the expenses under this item.

A PLAN PROPOSED BY WHICH THE INSTITUTION MIGHT BE MADE TO SUPPORT ITSELF.

Your committee feeling it to be one of the duties with which they were charged, as well as a duty which they owed the State, to examine and make enquiry, if any plan could be suggested, by which the institution might be made to support itself, addressed an interrogatory of that kind to Mr. Johnson, who had made that subject for some time one of close investigation, and also

desired him to give them the result of an experiment he had been making in the manufacture of wrought nails—both of which are attached to this report. The plan he proposes of contracting with certain persons, for the product of the labor of the institution at certain and defined prices; if it can be accomplished, is certainly one of great importance, because in the first place, it saves the institution a large amount of capital which under its present system it requires for the purchasing of raw material. In the second place there will be no risk to run in the fluctuating price of goods, which has heretofore been a cause of great loss to the institution, as the price will be fixed and defined by the parties contracting. And lastly, the rules and regulations of the prison would not be interferred with, as is always the case when the convicts are hired out by the day—but under this arrangement the convicts will be entirely under the control, and discipline of their regular officers. We have no hesitation in recommending it as a plan worthy of trial.

Necessity requires that a number of the hands who are now engaged in the weaving department, should be directed to some other employment, more profitable than weaving to enable the institution even to support itself, or to prevent it from being a continual tax on the State. For since the introduction of power looms for the manufacturing of plaid cotton and linseys which has been an invention of modern date. It has been found impossible for manual labor to compete successfully with such power, and consequently the Maryland Penitentiary, which is exclusively engaged in manufacturing of cotton and plaid fabrics, so long as it is engaged in this business, so long must it continue to work to a great disadvantage, and continue to be a burden to the State.

The board of directors have it in contemplation to employ a number of the convicts in the manufacturing of wrought nails through the coming year. And your committee, aware that the State expends annually some $12,000 in the purchasing of nails for her Tobacco Warehouses, think it would not be unadvisable for the legislature to aid the institution with the contract, as it is entirely a State matter.

FINANCIAL CONDITION OF THE PENITENTIARY.

Before making any statement in regard to the pecuniary matters of the institution. We feel it due to the board of directors, to state that immediately they were notified that a committee of investigation had been sent by the House of Delegates to examine into the affairs of the Penitentiary, they passed a resolution instructing their clerk Mr. Schetter, to furnish the committee with all the books and papers relating to the finances of the institution, and to make out any statement that the committee might require in the course of their examination, and from the many facilities afforded to them by that gentleman, in their investigation, and the promptness with which their interrogatories were answered, your

committee have been able to make this report and statement in the short space of time that they have absented themselves from their seats.

Knowing that it was not expected by the house that the committee should enter into a full, and accurate investigation, of all the minute affairs of the institution, as that duty would have occupied their time for a number of months, and therefore would not be able to make any report to the present Legislature. Your committee consequently directed their examination and attention principallly to one point, viz: whether it was absolutely essential that the legislature should make an appropriation of $30,000 at its present session, in order to enable the penitentiary to sustain its credit, and maintain its convicts through the next two years.

The committee have been induced to believe from the examination they have made, that it will be absolutely necessary for the State to make an appropriation at its present session, but not so large an amount as that requested by the directors in their supplemental report. Believing that with rigid economy an appropriation of $15,000, payable in quarterly payments would enable the institution to support itself for the next two years and perhaps longer.

But they are thoroughly convinced that if the State was able, it would be to her interest and advantage to appropriate some $30,000 or $40,000 for the use of the penitentiary, thus giving it a capital by which it would be enabled to operate to much greater advantage, than it can possibly do under its present pecuniary embarrassment.

It will be found from (Document E.) that the directors have paid in the last eight years the sum of $16,788.18 discount for the use of money. They have also been compelled to purchase all their raw material on credit, which of course could not be purchased on as good terms, as if the cash was paid. They have moreover for the want of money been compelled to force the sale of their goods into a stagnant market and have thus frequently sustained a great sacrifice in their sales.

But though we believe it would be to the interest of the institution to have a sufficiently large capital to relieve it from the great disadvantages above enumerated, yet we should consider it unwise and impolitic for the State to make any appropriation, which is not absolutely required, especially at this time when every effort is making to sustain the faith and honor of the State, by enabling her punctually to meet the interest on her public debt.

By reference to (Document D.) it will be found that in only three out of the last nine years has the earnings of the Penitentiary exceeded the expenditures, and that the whole amount of expenditure over and above the earnings in that space of time has amounted to $29,497.45. It will be also found from (Doc. C.) that the State appropriated in 1840 and 1843 the sum of $39,111.01 to aid the institution, and by (Doc. A.) it will be seen a large part of that amount had been expended in permanent improvements.

Since that time the institution has been struggling along without being any tax on the State.

By reference to (Document B.) it will be found that on the 30th of November, 1847, the penitentiary was indebted to the amount of $40,485.43, and that it had on hand in manufactured goods, notes and raw material, &c., property to the value of $57,-798.78, leaving an active capital of $17,303.35 after all the debts were paid. This active capital consists in raw material, fuel, &c., means which cannot be made available for the next nine months; and it will be found from the above statement that it requires all the available means and manufactured goods now on hand to meet the present liabilities of the institution. Consequently your committee are at a loss to know how the institution is to support itself through the coming nine months (until the present raw material is manufactured into goods) without some aid from the State.

The committee believing that the sum of $15,000 would enable the institution to support its credit and maintain its convicts for the next two years, and for a much longer period if the labor of the prisoners could be directed to some employment more profitable than that now engaged in; beg leave to report a resolution appropriating the sum of $15,000 payable in quarterly payments from the first day of April next.

All of which is respectfully submitted.

GEORGE FRENCH,
SAMUEL BRADY,
J. T. B. DORSEY.

Resolved by the General Assembly of Maryland, That the Treasurer of the State be and he is hereby authorised and directed to pay to the directors of the Maryland Penitentiary, the sum of Fifteen Thousand Dollars to be paid in four quarterly payments from the first day of April next, the said sum to be taken out of any unappropriated money in the treasury, and to be applied by the directors towards the payment of the expenses and carrying on the business operations of said institution.

DOCUMENT A.

Statement showing the active stock and capital in the business of the Penitentiary, November 30th, 1839.

Manufactured Goods, - - -		$22,758 85	
Materials, - - - -		9,860 67	
Fuel, - - - - -		709 50	
Provisions, - - - -		761 47	
			$34,090 49
Notes Receivable, - - -		14,606 18	
Cash on Hand, - -	$47 15		
" in Bank, - -	369 16	416 31	
Amount of debts due the Penitentiary,		8,814 02	
			23,836 51
			57,927 00
Deduct amount due by Penitentiary,			31,372 68
Active Capital, - - -			$26,554 32
Active Capital November 30th, 1839,			$26,554 32
Received from the State from 1839 to 1847, - - - - -			39,111 01
Amount recovered from H. Tiffany in 1840, - - - - -		1,800 00	
Amount of sundry items, - -		100 26	
			1,900 26
			67,565 59
From 1839 to '47, losses in 9 years, as stated, failing to meet expenses,			29,497 45
			38,068 14
From which deduct for increase of implements, and the erection of new buildings, &c., as per Reports of 1839 and '47:			
In Weaving department, - -		757 06	
In Cordwaining, - - -		70 90	
In Dyeing, - - - - -		42 00	
In Carding and Spinning, - -		3,060 82	
In Furniture and Bedding, - -		37 13	
In Household, - - - -		2,863 54	
In Clothing, - - - -		313 60	
Carried forward,			

DOCUMENT A.—Continued.

Brought Forward,		
In Erection of New Buildings and alterations in existing ones, -	$5,561 04	
Balance placed to Stock account in 1847, being accounts irretrievably lost, - - - - - -	8,249 52	
		20,955 61
		$17,112 53

FRE'D SCHETTER, Clerk.

Maryland Penitentiary, February 15th 1848.

DOCUMENT B.

A Statement showing the amount due by the Penitentiary November 30th, 1847.

To Harrison & Co., - - -	$12,399 30	
To W. & S. Wyman & Co., -	114 35	
To J. B. Rathbone & Co., - -	2,800 00	
To Wethered & Bro., - - -	3 50	
To Amon Green, - - - -	37 63	
To sundry persons on open accounts,	830 46	
		$16,185 24
To bills payable, notes due by the Penitentiary, viz:		
To Thomas Pierce, on demand, balance of salary, - - - -	400 00	
To James Michael, balance of salary,	116 02	
To W. F. & A. Murdoch, due Dec. 1847, for cotton yarn, - -	1,197 00	
To Wm. Woodward & Co., Dec. 1847, for cotton yarn, - -	756 00	
To Jno. Landstreet & Son, Dec. 1847, for wool, - - - - -	369 60	
To John Rusk & Son, Dec. 1847, for beef, - - - - -	469 75	
To Smith & Atkinson, Dec. 1847, for dye stuffs, - - - -	658 64	
To W. F. & A. Murdoch, Jan. 1848, for cotton yarn, - - - -	1,254 00	
To Slingluff & Ensey, Jan. 1848. for wool, - - - - -	342 86	
To Porter & Towner, Jan. 1848, for wool, - - - - -	903 12	
To Wm. Woodward & Co., January 1848, for cotton yarn, - -	1,101 60	
To Samuel Etting, Jan. 1848, for olive oil, - - - - -	169 40	
To Hicks & Co., Jan. 1848, for cotton yarn, - - - - -	880 00	
To B. Deford & Co., Jan. 1848, for leather, - - - - -	308 22	
To N. S. Wood & Co., Feb'y 1848, for herrings, - - - -	1,092 00	
To W. F. & A. Murdoch, Feb. 1848, for cotton yarn, - - - -	1,254 00	
Carried Forward,		

DOCUMENT B.—(Continued.)

Brought Forward,		
To R. I. Baker, Feb. 1848, for dye stuffs,	$499 57	
To E. Hewitt, Feb. 1848, for leather,	274 62	
To Sam'l Etting, " for indigo,	510 00	
To Slingluff & Ensey, Feb. 1848, for wool,	106 65	
To W. Chesnut, Feb. 1848, for groceries,	646 75	
To Porter & Towner, March 1848, for wool,	762 85	
To Samuel Etting, March 1848, for olive oil,	230 40	
To Cha's West, March 1848, for coal,	492 50	
To Pickell & Willett, March 1848, for coal,	153 47	
To John Landstreet & Son, March 1848, for wool,	778 56	
To Hicks & Co., March 1848, for cotton yarn,	1,013 00	
To W. Woodward & Co., April 1848, for cotton yarn,	722 90	
To Samuel Etting, April 1848, for indigo,	843 00	
To Charles West, April 1848, for coal,	335 00	
To J. Pasquay, April 1848, for wool,	290 65	
To E. Hewitt, April 1848, for leather,	176 00	
To J. Rusk & Son, April 1848, for beef,	519 21	
To Smith & Atkinson, April 1848, for dyestuffs,	163 15	
To Coleman & Rogers, April 1848, for medicines,	206 40	
To Emack & Baker, April 1848, for dyestuffs,	576 33	
To Hicks & Co., April 1848, for cotton yarn,	800 00	
To Giese & Son, May 1848, for coal,	244 77	
To W. Woodward & Co., June 1848, for cotton yarn,	897 00	
To W. Woodward & Co., July 1848, for cotton yarn,	898 20	
To W. Woodward & Co., Aug. 1848, for cotton yarn,	897 00	
		24,310 19
		$40,495 43

DOCUMENT B.

Statement Showing the active Stock and Capital in the business of the Penitentiary, November 30th, 1847.

Amount of Manufactured Goods, -	$18,637 73	
" Materials, - - -	10,472 49	
" Fuel, - - - -	3,000 00	
" Provisions, - - -	2,002 75	
		$34,112 97
" Notes receivable, - -	21,112 51	
" Debts due the Penitentiary,	1,467 29	
" Cash on hand and in bank,	1,106 01	
		23,685 81
		$57,798 78
Deduct amount of debts due by the Penitentiary, viz:		
Notes due by the Institution, -	24,310 19	
Debts as per Ledger, - - -	15,354 78	
Bills of Parcels unsettled, - -	830 46	
		40,495 43
Active capital, - - - -		$17,303 35

DOCUMENT C.

Amounts of appropriations made by the Legislature, received since 30th November 1839.

1840—February 9, - -	$15,000 00	
November 30, - -	9,111 01	
		$24,111 01
1843—March 31, - - -	$5,000 00	
April 29, - - -	5,000 00	
May 31, - - -	5,000 00	
		15,000 00
		$39,111 01

DOCUMENT D.

Statement showing the total amounts of Expenses and Profits, from 30th November 1839 to 30th November 1847.

Date.	Expenses.	Profits.	Deficit.	Surplus.	Deficit in 9 yrs.
1839 —November 30, - - -	$33,305 60	$29,583 24	$3,722 36		
1840 " " - - -	37,446 74	34,207 48	3,239 26		
1841 " " - - -	36,407 25	29,914 12	6,493 13		
1842 " " - - -	33,827 52	21,511 59	12,315 93		
1843 " " - - -	29,791 63	30,275 29		$483 66	
1844 " " - - -	29,460 53	38,997 37		9,536 84	
1845 " " - - -	34,427 32	35,648 24		1,220 92	
1846 " " - - -	35,377 89	27,909 51	7,468 38		
1847 " " - - -	37,924 27	30,424 46	7,499 81		
			$40,738 87	$11,241 42	$29,497 45

Maryland Penitentiary, February 15, 1848.

FRED. SCHETTER, Clerk.

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DOCUMENT E.

Discount Account.

Interest paid for the use of money in 1840, -	$1,850 06
" " " " 1841, -	2,159 16
" " " " 1842, -	2,327 04
" " " " 1843, -	1,526 24
" " " " 1844, -	1,309 03
" " " " 1845 & 1846,	5,250 07
" " " " 1847, -	2,366 58
	$16,788 18

DOCUMENT F.

List of Officers in the Penitentiary on 11th February, 1848, and their respective Salaries.

William Johnson, Warden, - - -	$1,500 00
Isaac G. Roberts, Assistant Warden, - -	800 00
Peter Harr, Police Officer, - - -	600 00
F. W. England, Police Officer, - -	600 00
John Peal, Hospital Guard, - - -	500 00
Frederick Baker, Deputy Keeper, - -	500 00
J. C. David, " " - -	500 00
S. S. Saunders, " " - -	500 00
E. T. Winn, " " - -	500 00
James Armons, " " - -	500 00
Nicholas Boone, " " - -	500 00
William Batchelor, " " - -	500 00
Benjamin Shipley, " " - -	500 00
Samuel Mules, Watchman, - - -	500 00
SUPERINTENDANTS:	
John B. Walworth, of Weaving, - -	700 00
James Michael, of Dyeing, - -	700 00
J. W. Kline, of Carding and Spining, -	700 00
Wm. Croshaw, of Cordwaining, - -	600 00
A. Cain, of Stone Sawing, - - -	600 00
W. W. McJilton, Messenger, - - -	600 00
Miss Elizabeth Shipley, Matron, - -	500 00
Doct. Alfred Baker, Physician, - -	400 00
Edward P. Roberts, Secrtary and Clerk to Board,	750 00
Frederick Schetter, Clerk, - - -	800 00
	$14,850 00

Maryland Penitentiary,

Baltimore, Feb. 11th, 1848.

Hon. George French,

Chairman of the Select Committee on the Penitentiary.

Dear Sir :—Your inquiries are directed to two points:—

First. Whether any, and what measures may be taken to reduce the expenses of the penitentiary? And,

Secondly. What change, if any, could be made in the business of the institution, which would enable it to support itself and pay the salaries of its officers?

In regard to the first question, I beg leave to say, that one mode of reducing the expenses of the institution would be to reduce the number or pay of the officers. The number of the officers is about the same as have been employed for a number of years, and successive boards of directors, after inquiry into the matter, decided that there are no more than are necessary to preserve the discipline and ensure the safety of the prison. The salaries they receive are the same as have been paid for many years past, and I do not think for the service that is performed and the responsibility that is incurred, that they can be called large. Whether any of them could be dispensed with and the safety and discipline of the prison fully maintained, I will not undertake to say; but any reduction of expenses which might be made in this respect would necessarily be very small, and would not reach the point, to which your inquiry as I understand it, is directed, that is, the ensuring of the ability of the prison to pay all its expenses.

In reply to the second inquiry, I would say, that it is impossible to know whether any new system of employing the convicts, which might be adopted, would be so profitable as to be sure to cover all the expenses of the prison. I have given the subject as full an examination as time would allow since I received your letter, and I have often since I have had the charge of the prison, turned my attention to it. The result of that examination I beg leave briefly to state.

There are three systems adopted in the State prisons of the country to employ the convicts.

One is to lease the prison out to one or more persons, who employ the convicts in such labor as they may deem best for their interest. This system is adopted, I believe in Kentucky, Missouri and Louisiana, and perhaps in one or two other of the western and south-western States. I am not sufficiently well acquainted with the details of the contracts entered into in these cases, to be able to say whether this system be found adequate to pay all the expenses of the prisons where it is adopted. I am very confidently of opinion that it could not be resorted to in Maryland with any such result. But apart from the doubt which rests upon the point of expense, I should regard the system as entirely inadmissible on the score of the evil effects it would produce in the discipline. I offer not only my own opinion upon the subject, but that

of every writer whom I am acquainted with, that has made the subject of prison discipline his study, when I say that the system of leasing the prison and transferring the care of the convicts to those whose interest and whose avowed purpose is only to get work out of the convicts, so as to make their labor productive to the contractors, defeats the whole purpose for which penitentiaries were originally established, and removes even the hope of any reformation being effected in the convicts confined in them.

Another mode of employing the convicts is to hire the labor of the convicts at so much a day to contractors, who are to keep them employed in a business agreed upon. In this case, the prison furnishes only the labor, the contractors furnish the material to be worked, and take all the risk of the manufacture being profitable. This system has been objected to, on the score of discipline, as being only a modification of that of leasing the entire prison, whilst it allows, necessarily, the introduction of persons into the management of the prison and the care of the convicts, whose interests are opposed to that rigid enforcement of the discipline, so necessary for the order of the prison and the reformation of the prisoners. It has not been found, however, to secure the end now desired, the payment by the labor of the convicts of all the expenses of the prison. At a recent session of the legislature of New York an appropriation of twenty thousand dollars, as I see by the papers, was made to meet the expenses of each of two of the three penitentiaries in that State, where the labor of the convicts of the prisons is hired out. I do not, therefore, see that this system, as it has been adopted elsewhere, has proved any better than that followed in the Maryland penitentiary.

There is the third system to which I have referred, which has been adopted in Maryland from its first establishment, and is also the system pursued in Pennsylvania, and many other States. It keeps under the control of the legal authorities of the penitentiary, the whole control of the institution, and enables them to make, what is of the first importance, the discipline and its moral effects upon the prisoners, the great purpose of the establishment.

The disadvantages which penitentiaries labor under as manufactories, are so fully portrayed in the supplemental report of the directors, made to his excellency the Governor—and which I understand is now before your honorable committee—make it quite unnecessary for me to allude to them here, further than to say, that I entirely concur in the facts and reasonings of that report. All these disadvantages, however, it is proper to remark, except those arising from a *want of sufficient capital*, are felt by the penitentiaries that hire out their labor, in as great, if not in a greater degree than is felt by the Maryland penitentiary, because in those prisons where the labor is hired out, only the labor of the strong, healthy convicts are contracted for, whilst that of the weak or invalid prisoners is lost almost entirely, or they go to swell up the number of supernumeraries who are employed in the domestic affairs of the prison. In the Maryland prison, out of about three hundred convicts

now in confinement, not more than 200 to 220 could be hired out under this system as strong, healthy prisoners. So that I do not see that even if it were possible to hire out the labor of all who are strong and healthy, any more profit would be derived from their labor than is received now.

As you have done me the honor of asking my opinion upon the subject, I will respectfully venture to suggest, that some modification might be made in the present system of conducting the affairs of the penitentiary, which would secure to it all the advantages it now possesses in the perfection of its discipline, give to it all the benefit which is claimed for the hiring out of the convicts in the certainty of the return from the labor, and relieve it from the embarrassments it suffers from the want of a sufficient capital to carry on its business.

The work-shops of the Maryland penitentiary were constructed directly, with a view of their being used for weaving, and all the implements necessary for that purpose have been purchased. It would not be well to attempt at once to abandon that business, though it is very desirable, on the score of profit, to reduce the laborers employed in it.

I suggest then, that the Penitentiary shall continue its business of weaving, but should reduce the hands employed in it, from time to time, as may be found practicable. That in any new employments they may be engaged in, a contract shall be made with some person or persons for all the *products* of their labor, and that the contractors shall furnish all the raw material and implements used in it. This is the general system of employing labor elsewhere, and might be as I think, advantageously introduced here. In these contracts, the prison would furnish nothing but the labor, but it would *not*, as in some prisons, hire out the convicts at so much a day. It would agree to furnish so much of any given article, at a price to be fixed upon. This would relieve the Penitentiary from the embarrassment it now experiences from having to furnish capital to buy the raw material to keep the convicts employed, and save it from the losses it is liable to from a depreciation in the price of its fabrics, whilst it would secure to the legal authorities of the prison the entire control over the prisoners. The contractors under this system would have no interest, as they have in prisons where the labor is hired out at so much a day, in the amount of work each convict performs, but would only be concerned in having it *well performed*. The authorities of the prison would take care that this was done, and would also direct the labor of the convicts so as to produce the largest amount.

This change in the system, could not, of course, be introduced immediately, and I venture to say, would not preclude the necessity of an appropriation to the institution by the legislature at its present session. It would take some time to make the change, and prudence would dictate that it should be effected slowly and with care, both in the selection of the contractors and of the busi-

ness the convicts should be employed in. I should feel no apprehension of being able to carry it successfully out, and with results profitable to the institution. If this system be successfully adopted, it will, of course, make its affairs less complex than now, and it might be found to warrant a reduction in the direct expenses of the institution. It would have the effect of enabling the directors to know at the time the contracts were entered into, what would be almost certainly the earnings of the prison in the time for which the contracts were made, and of apportioning their expenses, as far as possible, accordingly. This system of contracting for the *products* of the labor of the convicts, seems to me, for the reasons stated, to promise to be very successful, and I have therefore ventured to recommend it to your favor.

Before I conclude, I would, with great deference, call your attention to a few facts connected with the affairs of this institution, with the two-fold view of enforcing the necessity of its being supplied with a *sufficient capital*, and of shewing the beneficial effects which would result therefrom.

On comparing the *profit* and *loss* account of this institution from 1831 to 1847, (both years included,) a period of 17 years, it appears that the *average annual deficiency*, is $3,175 $\frac{67}{100}$. Now, owing to the want of a *cash capital*, under which the Penitentiary has always labored. It has had to pay from $2,000 to $2,500, a year for the use of borrowed money. Owing to this same cause, it has so happened that it has frequently had to obtain *advances* from its agents, for which it not only had to pay interest; but these advances not unfrequently forced our goods into the market at heavy reductions in price, and consequently, at heavy losses to the institution. Without stopping to enquire what may have been the aggregate loss *annually*, in these two items, I am prepared to affirm, that they will be found to exceed very considerably the *average annual deficiency* of the last 17 years, or any other given series of years that might be named. It is clear then, that the cause why this institution has not been able, by its *earnings*, to meet its expenses, is mainly, if not altogether, referrable to the *want of a sufficient cash capital* to carry on its business operations. And I feel justified in assuming it as a fact, that, with *such capital*, it can be made to defray its expenses. So satisfied am I, that it could do so, that I look upon it beyond all doubt.

Thanking you for the compliment you have paid me, in thus asking my views upon the subject, I have the honor to be with great respect.

Your obedient servant,

WM. JOHNSON,

Warden Maryland Penitentiary.

Maryland Penitentiary,

Baltimore, February 12th, 1848.

Hon. George French,

Agreeable to your request I have the honor to state to you that the result of the small experiment we have made in this institution, at making wraught spikes and nails, has satisfied me that it may be turned to profitable account. As far as the experiment has gone, it has resulted in a product averaging nearly tweuty cents per day in money value—an amount, when we come to consider that the whole of the convicts, with the exception of one, and he a common country blacksmith, were unacquainted with the use of tools, entire strangers to the business, it must be admitted, which should be such as to satisfy those who are acquainted with the progressive improvement in all mechanical branches of business, that the experience of a very few months would enable these very hands, and others who might be put at the business, to earn a very fair days wages and serve to increase the emoluments of the institution.

I would respectfully remark here, that journeymen who are proficient nail makers, can make from 15 to 20 lbs of nails per day, their pay for which is for 10 pennies, the standard, 5 cents per pound. If we take the lowest number of these as the task to be imposed when our hands shall be taught the art, it would give us 75 cents per day as the money value of their labor, a rate of compensation, which would seem to indicate the propriety of diverting a portion of the labor of our establishment to its prosecution.

With sentiments of great respect,

I remain your obedient servant,

WM. JOHNSON,

Warden Maryland Penitentiary.